No. 86-495-CFX
Status: GRANTED

Title: K Mart Corporation, Petitioner
v.
Cartier, Inc., et al.

Docketed:
September 26, 1986

Court: United States Court of Appeals for the District of Columbia Circuit

Vide:
86-624
86-625

Counsel for petitioner: Steele,Robert W.

Counsel for respondent: Solicitor General, Allen,William H., Lewin,Nathan

Entry	Date	Note	Proceedings and Orders
1	Sep 26 1986	G	Petition for writ of certiorari filed.
2	Oct 20 1986		Brief of respondent United States in opposition filed. VIDED.
4	Oct 22 1986		Order extending time to file response to petition until November 19, 1986.
5	Nov 19 1986		DISTRIBUTED. December 5, 1986
6	Nov 19 1986		REDISTRIBUTED. December 5, 1986
7	Nov 19 1986		Brief amicus curiae of American Free Trade Assn. filed. VIDED.
8	Nov 19 1986		Brief of respondents Coalition to Preserve Integrity of Amer. Trademarks, et in opposition filed. VIDED.
9	Nov 26 1986	X	Brief of respondent 47th Street Photo in opposition filed. VIDED.
10	Dec 8 1986		Petition GRANTED. The case is consolidated with 86-624 and 86-625, and a total of one hour is alloted for oral argument.
			**********
12	Jan 8 1987		Order extending time to file brief of petitioner on the merits until February 21, 1987.
13	Feb 20 1987		Brief amicus curiae of Natl. Assn. of Catalog Showroom Merchandisers filed. VIDED.
14	Feb 20 1987		Brief amicus curiae of Progress Trading Co. filed. VIDED.
15	Feb 20 1987		Brief amicus curiae of National Mass Retailing Institute filed. VIDED.
16	Feb 20 1987		Joint appendix filed. VIDED.
17	Feb 20 1987		Brief of petitioner United States filed. VIDED.
18	Feb 20 1987		Brief amicus curiae of American Free Trade Assn. filed. VIDED.
19	Feb 20 1987		Brief amicus curiae of Consumers Union of U.S. filed. VIDED.
20	Feb 20 1987		Brief amicus curiae of Washington filed. VIDED.
22	Feb 20 1987		Brief of petitioner 47th Street Photo, Inc. filed. VIDED.
23	Feb 20 1987		Brief of petitioner K mart Corp. filed. VIDED.
21	Feb 21 1987		Brief amici curiae of Darby Dental Supply, et al. filed. VIDED.
24	Mar 4 1987		Record filed.
25	Mar 4 1987		Certified copy of original record and proceedings, 2 boxes, received.
27	Mar 6 1987		Application of respondents for leave to file a brief on the merits in excess of the page limitation filed
28	Mar 6 1987		(A-658), and order granting same by The Chief Justice on March 9, 1987. The brief may not exceed 60 pages.

No. 86-495-CFX

Entry	Date	Note	Proceedings and Orders
26	Mar 7 1987	G	Motion of the Solicitor General for divided argument filed.
30	Mar 12 1987		Order extending time to file brief of respondent on the merits until April 22, 1987.
31	Mar 23 1987		Motion of the Solicitor General for divided argument GRANTED.
33	Mar 31 1987		Order extending time to file brief of respondent on the merits until May 7, 1987.
34	May 7 1987		Lodgings received. (25 copies).
35	May 7 1987		Brief amicus curiae of United States Trademark Assn. filed. VIDED.
36	May 7 1987		Brief amicus curiae of Duracell, Inc. filed. VIDED.
37	May 7 1987		Brief amicus curiae of American Cyanamid Co., et al. filed. VIDED.
38	May 7 1987		Brief amicus curiae of Lever Brothers filed. VIDED.
39	May 7 1987		Brief amicus curiae of Cetus Corporation filed.
40	May 7 1987		Brief amicus curiae of American Intellectual Property Law filed. VIDED.
41	May 7 1987		Brief of respondents Cartier, Inc., et al. filed. VIDED.
42	May 7 1987		Brief amici curiae of Yamaha International Corp. et al. filed. VIDED.
43	May 7 1987		Brief amicus curiae of Motor Vehicle Mfgrs. Assn. of the U.S. filed. VIDED.
44	Jul 2 1987		CIRCULATED.
45	Jul 20 1987		SET FOR ARGUMENT. Tuesday, October 6, 1987. This case is consolidated with Nos. 86-624 & 625. (4th case)(1 hr)
46	Aug 12 1987	D	Motion of Yamaha International Corporation, et al. for leave to participate in oral argument as amici curiae, for divided argument and for additional time for oral argument filed.
47	Sep 21 1987		Motion of Yamaha International Corporation, et al. for leave to participate in oral argument as amici curiae, for divided argument and for additional time for oral argument DENIED.
48	Sep 22 1987	X	Reply brief of petitioner K mart Corp. filed. VIDED.
49	Sep 22 1987	X	Reply brief of petitioners United States filed. VIDED.
50	Sep 22 1987	X	Reply brief of petitioner 47th Street Photo, Inc. filed. VIDED.
51	Oct 6 1987		ARGUED.
52	Mar 7 1988		Brennan, J., delivered the opinion of the Court, in which White, Marshall, Blackmun, and Stevens, JJ., joined. Scalia, J., filed a dissenting opinion, in which Rehnquist, C.J., and O'Connor, J., joined. Kennedy, J., took no part in the consideration or decision of this case. THE COURT OF APPEALS CONCLUSION THAT THE DISTRICT COURT HAD JURISDICTION IS AFFIRMED. THE CASE IS RESTORED TO THE CALENDAR FOR REARGUMENT ON THE MERITS.
53	Mar 10 1988	D	Motion of Yamaha International Corporation, et al. for leave to participate in oral argument as amici curiae, for divided argument and for additional time for oral argument filed.

No. 86-495-CFX

Entry	Date	Note	Proceedings and Orders
55	Mar 11 1988		SET FOR REARGUMENT, Tuesday, April 26, 1988. (2nd case). This case is consolidated with 86-624 and 86-625. 1 hour.
54	Mar 21 1988		Motion of Yamaha International Corporation, et al. for leave to participate in oral argument as amici curiae, for divided argument and for additional time for oral argument DENIED.
56	Apr 4 1988	G	Motion of respondents for leave to file a supplemental brief on reargument filed.
57	Apr 12 1988	D	Motion of American Free Trade Association for leave to file a supplemental brief as amicus curiae on reargument filed.
58	Apr 13 1988	G	Motion of the Solicitor General for leave to file a supplemental brief on reargument filed.
59	Apr 13 1988	G	Motion of petitioner K Mart Corporation for leave to file a supplemental brief on reargument filed.
60	Apr 13 1988	G	Motion of petitioner 47th Street Photo, Inc. for leave to file a supplemental brief on reargument filed.
61	Apr 18 1988		Motion of respondents for leave to file a supplemental brief on reargument GRANTED.
62	Apr 18 1988		Motion of American Free Trade Association for leave to file a supplemental brief as amicus curiae on reargument DENIED.
63	Apr 25 1988		Motion of the Solicitor General for leave to file a supplemental brief on reargument GRANTED.
64	Apr 25 1988		Motion of petitioner K Mart Corporation for leave to file a supplemental brief on reargument GRANTED.
65	Apr 25 1988		Motion of petitioner 47th Street Photo, Inc. for leave to file a supplemental brief on reargument GRANTED.
66	Apr 26 1988		REARGUED.